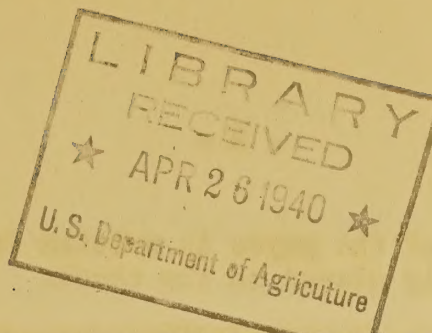


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SRC-301



Issued February 20, 1940.

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION

SOUTHERN DIVISION

COUNTY OFFICE PROCEDURE FOR THE DISPOSITION OF UNDELIVERED OR LOST CHECKS  
AND THE PREPARATION OF ADJUSTMENT APPLICATIONS AND CLAIMS

SECTION I - GENERAL

- A. Applicability. The procedure outlined herein regarding the disposition of undelivered or lost checks and the preparation of adjustment applications is for use in connection with all agricultural programs administered through State and county offices. The procedure outlined herein regarding the handling of claims is for use in connection with all agricultural programs administered through State and county offices for which Standard Form No. 1055 is prescribed, including the 1939 Agricultural Conservation and Sugar Programs and the 1940 Parity Payment Program.
- B. Register of Indebtedness. In cases where a producer's name is entered on the county office register of indebtedness in accordance with this procedure, the State office shall be notified immediately.

SECTION II - RETURNING UNDELIVERED CHECKS TO THE REGIONAL DISBURSING OFFICE

A. Reasons for Returning Checks.

1. If for one or more of the reasons enumerated below a check which has been issued in connection with any application for payment (hereinafter referred to as application) cannot be delivered, the check should be returned to the Regional Disbursing Office (hereinafter referred to as DO) from which issued.
  - (a) The check remains undelivered (for any reason) for a period of 21 days after the receipt thereof.
  - (b) The payee refuses to accept the check.
  - (c) The amount of the check is not in agreement with the amount of payment as shown on the voucher continuation sheet.
  - (d) The amount of the check is in excess of that due the payee.



- (e) The name of the payee is written incorrectly or erroneously placed on the check.
- (f) The payee is deceased or has been adjudged incompetent.
- (g) Another check, representing the same payment, has been previously received. 1/

B. Transmittal to DO.

1. Each check which is returned to the DO must be accompanied by a separate letter setting forth
  - (a) The DO symbol number (or program and year),
  - (b) The check number,
  - (c) The name of the payee,
  - (d) The amount of the check,
  - (e) The date of issuance of the check,
  - (f) The application serial number,
  - (g) The administrative number of the voucher continuation sheet on which the check is listed, and
  - (h) The reason, or reasons, for returning the check.
2. The treasurer of the county association should forward to the State office a copy of the letter which accompanies the check to the DO.

SECTION III - REQUESTING DELIVERY OF CHECKS RETURNED TO DO

A. Checks that may be Delivered.

1. A payee may request the delivery of a check returned to DO for one of the following reasons:
  - (a) Delivery of the check could not be effected within 21 days after receipt thereof; or
  - (b) The payee refused to accept the check.

1/ In such cases the letter of transmittal shall, in addition to the information specified in subsection B below, set forth the number of the check originally received representing this payment and the administrative number of the voucher continuation sheet on which the original check was listed.



B. Request for Delivery of Check to Payee.

1. If a payee desires to request delivery of a check he should submit a written request therefor over his signature to the State office, through the county office of the county in which the application originated, setting forth -
  - (a) The application serial number,
  - (b) The amount of the check,
  - (c) A representation that he is entitled to the payment,
  - (d) His present address, and
  - (e) The program under which the check was issued.
2. The association secretary or a member of the county committee should certify that the person presenting the claim is entitled to the payment and that his address is correctly stated.

SECTION IV - CHECKS ERRONEOUSLY DELIVERED

A. Error Discovered Prior to Negotiation of Check.

1. If a check has been delivered but has not been negotiated and it is determined that:
  - (a) The check is in excess of the amount due, or
  - (b) The name of the payee is incorrectly written or erroneously placed on the check, or,
  - (c) Another check representing the same payment has been previously received and delivered,

a written request for the return of the check to the association treasurer should be sent to the payee and a copy of such request forwarded to the State office.

2. If the person in possession of the check fails or refuses to return the check, such person, if entitled to none of the proceeds of the check, should be requested to refund the amount of the check. In cases where the payee is entitled to a part of the proceeds of the check, the amount of the overpayment due will be determined by the State office on the basis of an adjustment application, and the State office



will request such person to refund the amount of the overpayment. A copy of such request will be forwarded to the county office.

3. If such person fails or refuses to comply promptly with the request for refund, his name shall be placed on the county office register of indebtedness.

B. Error Discovered Subsequent to Negotiation of Check.

1. If a check has been delivered and negotiated and it is determined that:

- (a) The check is in excess of the amount due, or
- (b) The name of the payee is incorrectly written or erroneously placed on the check, or,
- (c) Another check representing the same payment has been previously received and delivered,

the person to whom the check was delivered, if entitled to none of the proceeds of the check, shall be requested to refund the amount of the check. In cases where the payee is entitled to a part of the proceeds of the check, the amount of the overpayment due will be determined by the State office on the basis of an adjustment application, and the State office will request such person to refund the amount of the overpayment. A copy of such request will be forwarded to the county office.

2. Refund should be in the form of a post office money order, certified check, bank draft, or cashier's check, made payable to the Treasurer of the United States. When refund is made in the form of a post office money order, the address to be shown thereon will be that of the DO unless the refund is made in connection with a rental-benefit contract. In such cases the address to be entered on the money order will be "Washington, D.C.". In all cases the refund should be forwarded to the State office accompanied by a statement by the association treasurer, in duplicate, setting forth:

- (a) The name of the person making the refund,
- (b) The serial number of the application (or contract number) with respect to which the refund is made,
- (c) The administrative number of the continuation sheet on which the original payment was vouchered (except for rental-benefit contracts), and



(d) A designation of the program whereunder the payment was made.

3. If the person to whom a check has been delivered fails or refuses to refund promptly the amount requested, his name shall be placed on the county office register of indebtedness.

C. To Person other than Rightful Payee.

1. If a check is erroneously delivered to and negotiated by a person other than the rightful payee, the association treasurer should immediately (by wire, if necessary) request the DO to stop payment thereon. Such request should set forth the information outlined in subparagraphs (a) through (e), paragraph 1, subsection B of section II hereof.
2. If payment on the check is stopped, the check should be delivered to the rightful payee as soon as it has been returned through the endorser and redeemed by the person who erroneously negotiated it. The DO should then be advised to remove the "stop payment" on the check.
3. If the request for "stop payment" is not received by the DO prior to the time of acceptance of the check for payment, or if for any other reason the erroneously delivered check is paid by the Treasury Department, the rightful payee of the check may file claim for the amount thereof by filing a complete statement of the circumstances of the case with the county office for transmittal to the State office. The statement must contain the data outlined under subparagraphs (a) through (g), paragraph 1, subsection B of section II hereof, and in addition the claimant shall state that he did not receive the original check or the proceeds thereof.

D. Collections.

1. The association treasurer, association secretary, and county committee may adopt any reasonable course of action to collect the amount of the wrongfully negotiated check from the person to whom such check was erroneously delivered. Any amount collected shall be forwarded to the State office in accordance with instructions set forth in paragraph 2, subsection B hereof.

SECTION V - LOSS, THEFT, DESTRUCTION OR FORGERY OF U. S. TREASURY CHECKS

A. Notice to DO.

1. Whenever a check is lost, stolen, destroyed, or forged, the



payee, or the association treasurer if the loss, destruction, or theft occurred while the check was held in the county office, should immediately notify the DO over his signature and address, requesting that payment of the check be stopped and giving, if possible, the following information:

- (a) The number of the check,
  - (b) The amount for which the check was drawn,
  - (c) The date of issuance of the check, and
  - (d) The DO symbol number under which the check was drawn (or program and year).
2. A signed copy of the notice prepared in accordance with paragraph 1 above should be forwarded to the regional office of the United States Secret Service. (The address of such regional office will be furnished by the AAA State Office.)

B. Recovery of Check.

1. If the check is recovered, the person who requested stoppage of payment should request removal thereof. Such check should not be negotiated until one week after such notice is mailed to the DO. If a duplicate check is issued prior to the recovery of the original check, the original check should be returned to the DO. This matter is within the exclusive jurisdiction of the Treasury Department and every case thereunder must, without exception, be referred by the association treasurer directly to the DO.

SECTION VI - WHERE AMOUNT OF CHECK IS LESS THAN AMOUNT DUE

A. Delivery of Check.

1. A check issued for an amount less than that due may be received and negotiated by the payee (applicant) where the error was caused by
- (a) An incorrect application, or
  - (b) The computing or scheduling of the payment by the State office.
2. The payee should be advised that the act of receiving and negotiating the check under the circumstances recited in paragraph 1 above will not affect his right to file a claim for the balance due.



3. Whenever the amount of the payment as shown on the related continuation sheet and the check do not agree, the check must be returned to the DO in accordance with the instructions contained in section II hereof regardless of the fact that the amount of the check may be less than that due.

B. Due to Incorrect Application.

1. If the payee desires to file claim for the balance due in cases where the amount of the check is less than that due, caused by an incorrect application, an adjustment application should be prepared in accordance with instructions set forth in section IX hereof.

C. Due to Error in State Office.

1. If the payee desires to file claim for the balance due in cases where the amount of the check is less than that due by reason of an error in scheduling or computing the payment by the State office, a direct request therefor must be made in the form of a statement over the signature and address of the applicant. The serial number of the application under which the claim is made and the administrative number of the voucher continuation sheet on which the original application was scheduled should be included in the request.

SECTION VII - WHERE AMOUNT OF CHECK IS IN EXCESS OF AMOUNT DUE

A. Due to Incorrect Application.

1. An adjustment application and supporting forms should be prepared in accordance with instructions set forth in section IX hereof.

B. Due to Error in State Office.

1. An explanation from the association secretary or a member of the county committee in the form of a concise statement, in duplicate, of the nature of the error as determined from the information available should be forwarded to the State office.

SECTION VIII - WHERE NAME OF PAYEE IS INCORRECTLY WRITTEN OR ERRONEOUSLY PLACED ON CHECK

A. Due to Incorrect Application.

1. An adjustment application should be prepared in accordance with instructions set forth in section IX hereof.



B. Due to Error in State Office.

1. There should be forwarded to the State office a statement, in duplicate, signed by the payee and the association secretary, or a member of the county committee, setting forth the correct name of the payee and requesting the cancellation of the incorrect check and the issuance of a corrected check.

SECTION IX - ADJUSTMENT APPLICATIONS

A. Cases Where Adjustment Applications will be Prepared.

1. An adjustment application will be prepared and submitted to the State office where any one or more of the following conditions resulted from erroneous preparation of the original application 2/:
  - (a) An applicant was overpaid (or would be if the check were delivered).
  - (b) An applicant was underpaid and desires to file claim for the remaining payment due.
  - (c) The name of the applicant on the check is written incorrectly or erroneously placed on the check due to an incorrect application.

B. Preparation of Adjustment Applications and Supporting Data.

1. The adjustment application and supporting forms, if any, shall be exact duplicates of the original application and supporting forms with the following exceptions:
  - (a) Erroneous data shall be replaced by correct data, and,
  - (b) The serial number of the adjustment application shall be the serial number of the original application followed by the notation "Adj."
2. The adjustment application, if timely filed (that is, filed with the county committee prior to the closing date for filing applications for payment under the provisions of the applicable program) shall be signed by each person entitled to receive payment under the adjustment application and who desires, and is available, to make application for such payment.
3. Each person who was overpaid under the original application should be requested to sign the adjustment application (or a separate statement setting forth the facts in the case, where the person is not entitled to sign the adjustment application

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2/ The provisions of this paragraph A are not applicable to 1933, 1934, and 1935 Commodity Contracts or 1936 Wheat Contracts.



as an applicant). If any such person's signature cannot be obtained on the adjustment application (or statement) a statement setting forth the efforts made to secure such person's signature and signed by a member of the county committee shall be attached to the adjustment application.

4. Each person who applies for payment under the adjustment application shall submit with the adjustment application a detailed statement, in duplicate, setting forth his opinion of the manner in which the error(s) occurred which resulted in his failure to receive full payment under the original application. Where possible one statement signed by all such persons should be used.
5. The county committee shall submit a detailed explanation of the manner in which the error(s) occurred and the means by which the correct data, as shown on the adjustment application, was determined.
6. The adjustment application shall be approved in the manner prescribed for approval of the original application.
7. If under the adjustment application it is determined that one or more persons to whom payment was made under the original application received payment in excess of that due, the county committee shall submit a report of its findings with respect to whether such person(s) knowingly misrepresented any fact in connection with the original application which would result in payment to such person(s) in excess of that to which he was entitled.

#### SECTION X - WHERE THE PAYEE IS DECEASED OR HAS BEEN ADJUDGED INCOMPETENT

##### A. Persons Who May File a Claim for the Proceeds of Checks Drawn Payable to Deceased or Incompetent Payees.

1. Any person, whether such person be an heir, the next of kin, creditor, or otherwise, of the decedent, shall be allowed to file a claim.

##### B. Method of Filing a Claim.

1. Any claim for the proceeds of a check drawn to the order of a deceased or incompetent payee shall be made on Standard Form No. 1055, "Application for Payment of Amounts Due Deceased or Incompetent Civilian Employees, Officers, and Enlisted Men in the Military Service, and Public Creditors of the United States", (hereinafter referred to as form 1055) which form is to be executed in duplicate.
2. Any papers or documents which support the claim shall be attached



to the original and duplicate copy of form 1055 when forwarded to the State office.

C. Claim by an Executor or Administrator of the Estate of the Decedent.

1. Form 1055 must be executed in duplicate.
2. Paragraphs 1, 2, 4 and 5 of form 1055 must be properly completed to disclose the information indicated.
3. Any additional facts upon which the claim is based may be set out in paragraph 6(j) of form 1055. Subparagraphs (a) to (i) inclusive, of paragraph 6, form 1055, need not be executed.
4. If the date of the death (or adjudication or declaration of incompetence) and the domicile of the decedent or incompetent are shown in the court order, the certificate of notary public is not required.
5. Form 1055 must be supported by a certified copy of the court order appointing the executor or administrator filing claim or by a short form certificate of appointment. If such certificate or certified copy of the court order making the appointment shows the appointment to have been made more than one year prior to the date upon which the case will be submitted to the General Accounting Preaudit Office, a certification, by the court making the appointment, to the effect that such appointment is still in full force and effect, is to be required of the claimant.
6. Where the decedent died without leaving a will and claim is made by a public administrator, there must be a showing either that:
  - (a) There are persons entitled to share in the estate under the laws of the domicile of the decedent, or
  - (b) There are creditors of the estate, or
  - (c) There are assets of the estate other than the amount due from the United States.
7. If for any reason or reasons the claim is not allowed, the claimant will be advised of the disallowance, and the reasons therefor, by the State office. A copy of such letter will be furnished the county office.

D. Claims by the Surviving Spouse, the Heirs at Law, or the Next of



Kin, without the Appointment of an Executor or an Administrator. 3/

1. Form 1055 must be completely executed (in duplicate) except for paragraph 5 thereof, and it must appear that the decedent died intestate, and that the amount due from the United States does not exceed the maximum amount for estates upon which administration need not be had.

- (a) Where claim is made by the widow of the decedent, acting under authority of a trust agreement or court order, the widow's name and signature on form 1055 must agree with the name set forth in such document. If there is no trust agreement or court order, the form 1055 shall show the full Christian name, additional initials, if any, and surname of the widow instead of the husband's initials or first name, and the signature must be executed in the same manner.

For example:

Incorrect

Correct

Mrs. J. N. Doe

Mary A. Doe, or  
Mrs. Mary A. Doe

- (b) It will be necessary for an itemized bill of the funeral expenses of the decedent to be attached in all cases, or a notation, where applicable, entered on the form 1055 to the effect that no funeral expenses were incurred. If such funeral expenses have been paid the bill must be marked "Paid". (Signatures on undertaker's receipted bills must be executed in accordance with ACP-16.) If such funeral expenses have not been paid it will be necessary for a properly executed Form ACP-73, whereby the undertaker waives his preference, to be attached or the funeral expenses will be paid before other claims.

- (c) If the amount of the check claimed is in excess of \$100.00 4/ the claim must be accompanied by a list of all debts owed by the estate of the decedent. The amount accruing to the estate of the decedent will not be paid to the claimant(s) unless and until there are submitted properly executed waivers on Forms ACP-73, signed by each creditor of the estate of the decedent.

- (d) If the amount of the check claimed is in excess of \$100.00 4/

3/ In the absence of a State statute establishing higher limit, administration will be required where total payments due the estate of the decedent from the Government exceed \$500.00. Where a higher limit is established by the law of the domicile of the decedent, the provisions of such statute shall govern as to the amount payable without administration.

4/ Except for widow's exemption of \$300.00 in Arkansas based upon payment of \$25.00 to officiating undertaker, and further except for the \$1000.00 exemption in Alabama.



only the amount to which the claimant is entitled under the law will be paid unless there is submitted a duly executed power of attorney whereby the claimant is authorized to file claim on behalf of another, or a properly executed trust agreement, whereby the claimant is designated as trustee to file claim for and receive payment on behalf of the persons executing such trust agreement. However, amounts due the minor heirs of the decedent may be paid to the widow or widower of the decedent or to the guardian or custodian of such minor heirs provided a claim is filed on behalf of such minor heirs.

2. In every case the age of the claimant must be shown on form 1055. 5/
3. A Waiver of Right to Claim (Form ACP-73), submitted by a person who would otherwise be entitled to share in the payment, will not be recognized unless such person is shown to have attained legal age, or the waiver is executed by a creditor of the estate of the decedent.
4. If the amount of the check claimed is in excess of \$100.00<sup>4/</sup>, or if the amount of the check claimed is \$100.00 or less and claim is made by a person other than the surviving spouse, the ages of the heirs whose names appear in paragraph 6(f) of form 1055, must appear immediately after their names in such paragraph. In such cases the portion of the payment accruing to adult heirs who have not claimed, personally or through a duly authorized representative, or who have not waived their right to claim, or who have not executed a trust agreement appointing a trustee to claim, and receive payment for them, will not be paid until claim is filed therefor pursuant to the provisions of this SRC-301.
5. The affidavit of two witnesses must be completely executed and the form 1055 properly notarized.
6. If for any reason or reasons the claim is not allowed, the claimant will be advised of the disallowance, and the reasons therefor, by the State office. A copy of such letter will be furnished the county office.

E. Claims by Creditors for the Proceeds of Checks Drawn Payable to Deceased or Incompetent Payees.

1. If form 1055 is submitted by a creditor of the estate of the decedent, there must be furnished a Waiver of Right to Claim
- 5/ It is to be noted that no provision is made on form 1055 for such information. The age of the claimant should appear immediately following his name in paragraph 1 of the form.



(Form ACP-73) from other creditors having the same or greater degree of preference under the laws of the domicile of the decedent, or else a statement signed by a member of the family of the decedent, who has knowledge of the family affairs, to the effect that there are no other creditors of an equal or greater degree of preference.

2. It is not necessary that inquiry be made by the association secretary or members of the county committee relative to the number of creditors of a decedent or of the degree of preference accorded such creditors by statute.
3. Any person, whether such person be an heir, the next of kin, or in no way related to the decedent, who has paid a preferred creditor out of funds not belonging to the estate of the decedent is by such payment subrogated to the statutory preference, if any, accorded to such creditor. This provision is particularly important if such person has paid the funeral expenses of the decedent, his claim should be based upon such payment regardless of his relationship to the decedent. If, after allowance of the preferred claim, there remains an amount due the estate, such amount should be claimed in accordance with the provisions contained in paragraphs D and E of this section X.
4. If for any reason or reasons the claim is not allowed, the claimant will be advised of the disallowance, and the reasons therefor, by the State office. A copy of such letter will be furnished the county office.

F. Claims by Minors or the Guardians or Custodians of Minors.

1. If claim is filed by a minor or his guardian or custodian, there must be a showing of one of the following:
  - (a) Letters of Guardianship, certified copies thereof, or a Short Certificate of Letters of Guardianship, or
  - (b) An affidavit, by any person having knowledge of the facts, that the minor is competent to receive and handle funds, or
  - (c) That the minor is in the care and custody of the person making claim on form 1055 on behalf of such minor. There must appear in subparagraph 6(j) of form 1055, or in supporting affidavits a statement of the relationship between the custodian and the minor and the circumstances of the custodianship and that the payment will be used for the benefit of the minor.
2. If for any reason or reasons the claim is not allowed, the claimant will be advised of the disallowance, and the reasons therefor, by the State office. A copy of such letter will be furnished the county office.





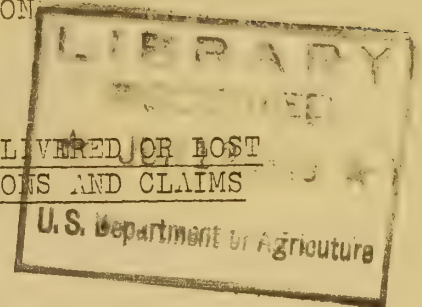


Issued April 29, 1940.

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION

SOUTHERN DIVISION

COUNTY OFFICE PROCEDURE FOR THE DISPOSITION OF UNDELIVERED OR POST  
CHECKS AND THE PREPARATION OF ADJUSTMENT APPLICATIONS AND CLAIMS



SRC-301 is hereby amended as follows:

I

A. Section X (page9) is amended by the addition of a new subsection G as follows:

"G. Claim Against the Estate of a Deceased Person for an  
Indebtedness Due the AAA.

1. Where the county office has knowledge that a person indebted to the AAA (as shown on the county office register of indebtedness) is deceased, the county office should

(a) Advise the State office that the indebted person is deceased, setting forth,

(1) The date of death.

(2) The name and address of the administrator or executor of the estate of the deceased, or if no administrator or executor has been appointed whether one is likely to be appointed.

(3) If no administrator or executor has been appointed and it is not likely that one will be appointed:

a. whether the decedent left an estate, and if so,

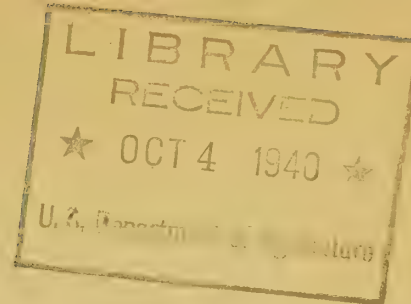
b. the name and address of the person(s) entitled to the assets of the decedent's estate."







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SRC-301  
Supplement B



Issued September 7 , 1940.

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION

SOUTHERN DIVISION

COUNTY OFFICE PROCEDURE FOR THE DISPOSITION OF UNDELIVERED OR LOST  
CHECKS AND THE PREPARATION OF ADJUSTMENT APPLICATIONS AND CLAIMS

SRC-301 is hereby amended as follows:

I

Subsection A of Section I (page 1) is amended to read as follows:

"A. Applicability. The procedure outlined herein regarding the disposition of undelivered or lost checks and the handling of adjustment applications is for use in connection with all Agricultural Programs administered through State and county offices. The procedure outlined herein regarding the handling of claims is for use in connection with all Agricultural Programs administered through State and county offices for which Standard Form No. 1055 or Form ACP-103 is prescribed."

II

The title of Section X (page 9) is amended to read as follows:

"SECTION X. WHERE THE CLAIM IS SUBMITTED ON STANDARD FORM NO. 1055 (applicable to all claims submitted under the Sugar Programs and to the various Agricultural Conservation Programs and the 1940 Parity Payment Program where the producer died or was declared incompetent on or before August 16, 1940.)"

III

SRC-301 as amended is further amended by the addition of the following new Section XI:

"SECTION XI. WHERE THE CLAIM IS SUBMITTED ON FORM ACP-103 (applicable to all claims submitted under the 1939 price Adjustment Payment Program and claims submitted under all Agricultural Conservation and to the 1940 and future



Parity Payment Programs where the producer [or assignee] died, disappeared, or was declared incompetent after August 16, 1940.)

A. Persons who may file a claim for the proceeds of checks drawn payable to payees who have died, disappeared or been declared incompetent.

1. Any person who is entitled under the regulations set forth in ACP-122, 'Regulations Pertaining to Payments of Amounts Due Persons Under the Soil Conservation and Domestic Allotment Act, as Amended, and Statutes Authorizing Parity Payments, Who Have Died, Disappeared, or Have Been Declared Incompetent,' to all or a share of the proceeds of a check drawn payable to the order of a payee who is deceased or incompetent or who has disappeared, shall be allowed to file a claim except that where the payee is incompetent or has disappeared, claim by a person in the highest class of preference under the regulations shall preclude claims by any other person of the same class of preference. This exception is not applicable to cases where the payee is deceased.

B. Method of filing a claim.

1. Any claim for the proceeds of a check drawn to the order of a payee who has died, disappeared, or been declared incompetent shall be made on Form ACP-103, "Application for Payment of Amounts Due Producers who have Died, Disappeared, or have been Declared Incompetent."
2. Any papers or documents which support the claim shall be attached to the Form ACP-103 when forwarded to the State office.
3. Claims for the proceeds of checks with respect to more than one farm or one program drawn payable to the order of a payee who is deceased or incompetent, or who has disappeared, may be filed on a single Form ACP-103 if the checks for which claim is filed were issued under applications covering a farm or farms located in the same county.



4. Claim may be made by the trustee of all or some of the persons entitled to share in the proceeds of the payment. Form AAA-378 may be used in this connection provided the form is amended by inserting after the word 'deceased' in the second line of the first paragraph the following words: 'who are entitled to share in the payment(s) in respect of which this document is executed.'
5. Form ACP-103 shall be executed in triplicate.
6. All entries on Form ACP-103 other than signatures should be typed or printed in indelible pencil.
7. The instructions printed on the reverse side of the form should be carefully read by the claimant(s) and by the county committee.
8. Form ACP-103 need not be attested to by a notary public.
9. Payments will be made without regard to claims of creditors. No information concerning debts of the payee's estate need be shown.
10. The State and county code numbers shall be entered in the upper right corner of Forms ACP-103 in the space provided. Immediately below the State and county code numbers enter the name of the county.
11. Paragraph 1.
  - (a) Enter the name of the payee and the word(s) 'died,' 'disappeared,' or 'was declared incompetent,' whichever is applicable, followed by the date of death, or declaration of incompetency, or the approximate date of disappearance.
  - (b) If the claim is based on the laws of the State of domicile of a deceased or



incompetent payee, and not on the regulations, 1/ there shall be entered on the form at the end of paragraph 1 the name of the State in which the deceased or incompetent payee was domiciled at the time of his death or adjudication of incompetence.

(c) Enter in the applicable spaces:

- (1) the form number(s) of the application form(s) and the serial number(s) of the application(s) under which the check(s) for which claim is being made was issued.
- (2) the check number(s) which appear in the upper right corner of the check(s) or in the last column of the related continuation sheet(s).
- (3) the disbursing office symbol number, which appears in the lower right corner of the check(s).
- (4) the amount of each check listed.

12. Paragraph 2.

(a) Enter in the applicable spaces:

- (1) the name(s) of all of the person(s) entitled under the regulations to share in the payment(s), regardless of whether all of such person(s) are applying for payment(s).
- (2) the mailing address(es) of such person(s) entitled to share in the payment(s).
- (3) the relationship of such person(s) to the payee. If claim is made by an

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1/ If there are no relatives of a deceased or incompetent payee coming within the classifications provided in the regulations, the rights of the payee's next of kin in respect of the payment are governed by the laws of the State of domicile of the decedent.



administrator, executor, guardian, committee, conservator, etc., the legal capacity of the claimant shall be entered as the relationship to the payee.

13. Paragraph 3.

- (a) If any person(s) entitled under the regulations to share in the proceeds of the payment(s) is a minor or is incompetent, enter the name(s) of such person(s) and the nature of the disability; and the name, mailing address, and capacity of the legal or natural guardian(s), committee(s), or conservator(s) of such person(s), in the applicable spaces.

14. Paragraph 4.

- (a) The signature(s) of the claimant(s) shall be entered in the space(s) provided and shall be in ink or indelible pencil. A witness is required only when the claimant(s) signs by mark or in other than English script. Witnesses must sign in English script. Any claimant acting in a representative or fiduciary capacity shall indicate that capacity after his signature. The signature(s) of the claimant(s) must appear on the original and the carbon impressions on both copies must be legible. Where claim is made by the widow of the decedent acting under authority of a trust agreement or court order, the widow's name and signature on the Form ACP-103 must agree with the name set forth in such document. If there is no trust agreement or court order the Form ACP-103 shall show the full Christian name, additional initials, if any, and surname of the widow instead of the husband's initials or first name, and the signature must be executed in the same manner. For example:



Incorrect: Mrs. J. N. Doe

Correct: Mary A. Doe, or Mrs. Mary A. Doe

- (b) Signatures must otherwise be affixed in accordance with the instructions set forth in ACP-16, 'Instructions on Signatures and Authorizations.'

C. Certificate of County Committee

1. If the county committee determines that the claimant(s) has the necessary authority to act in the capacity in which he has claimed, it shall authorize one of its members to affix his signature in the space provided in Part II, 'Certificate of County Committee.' The committeeman who signs the certificate shall also enter the date of his signature.
2. If claim is made by a person acting in a representative or fiduciary capacity, and if the county committee does not have knowledge of the claimant's authority to act in that capacity, the claimant shall be required to present evidence thereof to the committee in accordance with the provisions of ACP-16. No written evidence need be attached to the Form ACP-103 when it is forwarded to the State office.<sup>2/</sup>
3. If the claim is based on disappearance of the payee, there must be submitted to the county committee the affidavits of the claimant and of a disinterested person who was well acquainted with the payee who has disappeared, setting forth:
  - (a) that the payee has been missing for a period of more than three months,
  - (b) that a diligent search has failed to reveal his whereabouts, and
  - (c) that the payee has not communicated during such period with persons who would be expected to have heard from him.

<sup>2/</sup> Additional certifications required under subsection D of this Section XI must be attached to the related Form ACP-103.



D. Additional certifications

1. Where claim is filed by an emancipated minor, i.e., a minor who by legal process has caused his disability to be removed, such emancipated minor must submit a statement similar to the following:  
'I, John Doe, hereby certify that my disability as a minor was removed by legal process on September 15, 1940.'

E. Disposition of Forms ACP-103 and Related Papers

1. The original and first copy of Forms ACP-103 shall be securely attached to any additional certifications required under subsection D of this Section XI and the file transmitted to the State office. The remaining copy shall be retained in the files of the county office. A copy of the letter with which the original check was returned to the Disbursing Office shall be attached to the Form ACP-103 if such copy has not previously been forwarded to the State office.

F. Notice of Disallowance.

1. If any claim is disallowed, the claimant(s) will be advised by the State office of such disallowance and of the reason(s) therefor. A copy of the notice of disallowance will be forwarded to the county office.

IV

The titles of Sections X and XI (as amended) are further amended by the addition of the following footnote 1:

"1/ On June 30, 1940, the appropriation for the 1936 Agricultural Conservation Program ceased to be available for expenditure. Claims submitted for proceeds of checks issued under this program should be executed on the prescribed form and submitted to the State office for consideration."



